

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CYTYC CORPORATION,

Applicant,

V.

DEKA PRODUCTS LIMITED
PARTNERSHIP,

Respondent.

CIVIL ACTION
NO. 05-10932 (WGY)

**CYTYC CORPORATION'S UNOPPOSED MOTION
FOR LEAVE TO FILE A REPLY MEMORANDUM
IN SUPPORT OF ITS MOTION FOR STAY PENDING APPEAL**

Pursuant to Local Rule 7.1(B)(3), Cytac Corporation moves for leave to file a reply memorandum of six (6) pages in support of their motion to stay this Court's July 8, 2005 order confirming the arbitration award in favor of DEKA Products Limited Partnership. In support of this Motion for Leave, Cytac states:

1. In opposition to Cytyc's motion to stay and accompanying three-page memorandum in support of that motion, DEKA Products Limited Partnership filed an eight-page memorandum and approximately 80 pages of exhibits. These materials raise new factual and legal issues.

2. Cytyc respectfully believes that a short reply memorandum will assist the Court in reaching an informed and just decision with respect to Cytyc's motion to stay.

3. Pursuant to Local Rule 7.1(A)(2), counsel for Cytac certifies that it has conferred with counsel for DEKA on this motion for leave, and that counsel for DEKA has informed counsel for Cytac that it will not oppose Cytac's motion for leave to file a reply memorandum.

WHEREFORE, for all of the foregoing reasons Cytyc respectfully moves that this Court grant Cytyc leave to file a reply memorandum in support of its motion for a stay pursuant to Federal Rule of Civil Procedure 62(d).

CYTYC CORPORATION

By its attorneys,

/s/ Lisa Pirozzolo
Lisa J. Pirozzolo, Esq. (BBO #561922)
WILMER CUTLER PICKERING
HALE AND DORR LLP
60 State Street
Boston, MA 02109
Telephone: (617) 526-6000

HOWREY SIMON ARNOLD & WHITE LLP
Matthew M. Wolf
Marc A. Cohn
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
(202) 383-6858

Dated: August 30, 2005

CERTIFICATE OF SERVICE

I, Lisa J. Pirozzolo, hereby certify that the foregoing Cytoc Corporation's Motion For Leave To File A Reply Memorandum In Support Of Its Motion For Stay Pending Appeal was served by First Class Mail on August 30, 2005 upon:

Lee Carl Bromberg
Erik Paul Belt
BROMBERG & SUNSTEIN LLP
125 Summer Street
Boston, MA 02110
(617) 443-9292

/s/ Lisa Pirozzolo
Lisa J. Pirozzolo